

S.D.N.Y. - N.Y.C.
06-cv-15173
Gardephe, J.

MANDATE

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 25th day of August, two thousand eleven,

Present:

Jon O. Newman,
José A. Cabranes,
Chester J. Straub,
Circuit Judges.

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: October 17, 2011**

United States of America, Cesar Ruiz,

Plaintiffs-Appellees,

11-1831-cv

v.

Village of Port Chester,

Defendant-Appellant.

Appellees, through counsel, move to dismiss the appeal. Upon due consideration, it is hereby ORDERED that the motion to dismiss is GRANTED as Appellant seeks to appeal a matter that was within the scope of the parties' consent judgment and not unequivocally reserved for appeal. *See LaForest v. Honeywell Int'l Inc.*, 569 F.3d 69 (2d Cir. 2009).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe

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MANDATE ISSUED ON 10/17/2011